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Citation for published version:

Cairns, JW, *Heineccius and Joseph Story*, 2012, Web publication/site, Edinburgh Legal History Blog.
<<http://www.elhblog.law.ed.ac.uk/2012/11/12/heineccius-and-joseph-story/>>

Link:

[Link to publication record in Edinburgh Research Explorer](#)

Document Version:

Publisher's PDF, also known as Version of record

Publisher Rights Statement:

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The Edinburgh Legal History Blog

Heineccius and Joseph Story

Posted on 12/11/2012 by [John Cairns](#)

J. G. Heineccius (1681-1741) was one of the most influential scholars of eighteenth century. He produced textbooks that were very popular for teaching the central discipline of Roman law, as well as an influential text on natural law translated by the Scotsman George Turnbull. For many years a professor in the Netherlands, before moving back to his native Germany, he worked in the humanistic, elegant tradition. He was rather more than the “the best writer of elementary books with whom I am acquainted on any subject” described by Sir James Mackintosh. His textbook on Justinian’s Institutes was published twice in Edinburgh for Scottish students.

Joseph Story (1779-1845), Harvard Law Professor and US Supreme Court Justice, ordered a set of Heineccius, printed in Naples, from Europe. When the volumes were en route to the US they were captured by a British warship during the War of 1812 between Britain and the USA – the war most noted for the burning of Washington by British troops. The Americans, in imperial and expansionist mode, were provoked by British blockades and impressment of sailors and moved by hope of further conquest, including of Canada. The British warship which captured them was then taken by an American warship, the captain of which forwarded the volumes to Story, who recorded their adventures in them.

At one stage, the volumes were in the Harvard Library; they are now, however, in the Yale Law Library, because in the nineteenth century the Harvard Library sold off duplicates, and no one presumably noticed the inscription – a moral for Libraries everywhere! They are mentioned in the Yale Rare Books Blog, from which this account has been taken. See <http://blogs.law.yale.edu/blogs/rarebooks/>

Interestingly enough, Harvard at the moment has an exhibition devoted to Story; but I am sure it was not Schadenfreude that encouraged Yale to blog about these volumes!

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